IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICATION

COMPANY APPLICATION NO. 396 OF 2001

IN

COMPANY PETITION NO.149 OF 1997

M/s Walvekar Hatcheries Ltd. ... Applicant

V/s

1.Rajesh Kumar Somani & Anr. ... Respondents

Mrs. Kiran Bhagalia i/b Ms.C.S.Phadke for applicant Ms.C.S.Phadke

Mr.Pradeep Walvekar,Director of the applicant.

Miss Sarita D'Lima i/b Singhania & Co. for respondent No.1

Shri Rishabh Shah i/b Theba & Associates

Official Liquidator, respondent No.2

Coram : S.U. Kamdar,J.

Date : 31st January 2005

P.C.

1. The learned advocate appearing for the applicant seeks leave of the court to withdraw the present Company Application with the liberty to file appropriate legal proceeding in the court of competent jurisdiction. The learned advocate for the applicant also seeks continuation of the interim order

passed in the present application for some time. In view of the prayer of the learned advocate for the applicant, the company application stands dismissed as withdrawn with liberty as prayed.

2. The interim order dated 26/8/2004 to be continued for a period of 8 weeks from today.

3. In an event the applicant obtains any order from the court of competent jurisdiction then the liquidator shall abide by the same.

4. If the applicant fails to file appropriate proceeding and fails to obtain appropriate orders then the official liquidator shall take the possession of the said premises forthwith and make further report to this court.

5. Mr.Pradeep Walvekar is present in court.

(S.U.Kamdar,J.)